

REMARKS

Claims 28-39 are now in this application, having been added herein in place of claims 1-27, which have been cancelled. Claims 28, 32 and 36 are the independent claims herein. No new matter has been added. Reconsideration and further examination are respectfully requested.

With the cancellation of claims 1-27, it is believed that the rejections thereof under §§ 112, 101 and 102 are moot. Nevertheless, applicants will briefly discuss the pending claims in the context of the rejections stated in the present Office Action.

Regarding the rejection under 35 USC § 112, second paragraph, the language referred to by the Examiner as being indefinite has not been included in the new set of claims, so that the rejection under § 112, second paragraph, is not believed to be applicable to the new set of claims.

Regarding the rejection under 35 USC § 101, it is submitted that the new claims are all clearly directed to statutory subject matter. For example, claim 28 recites, among other limitations, “storing a plurality of risk profiles in a computer database” and “searching the computer database...”. Claim 32 recites “a processor” and “a memory coupled to the processor”. Claim 36 recites “a computer usable medium having computer readable program code”.

Next applicants will compare the new claims, and particularly claim 28, with the King reference (U.S. Patent No. 5,704,045), which the Examiner relied upon in rejecting former claims 1-27 under § 102.

Claim 28 is directed to a “method”, which includes “storing a plurality of risk profiles in a computer database”. Claim 28 further recites that “each risk profile correspond[s] to a respective user”. The method of claim 28 further includes “receiving an additional risk profile from an additional user”, “searching the computer database to determine one of the stored risk profiles which is suitable for balancing risks with the additional risk profile” and “establishing a contract between the additional user and the one of the users who corresponds to said one of the stored risk profiles”.

(Support for the limitation of “storing a plurality of risk profiles in a computer database” is found at page 8, line 19 to page 9, line 17 of the specification and at FIG. 2c.

Support for the limitation of “receiving an additional risk profile...” is found at page 14, line 21 to page 15, line 7 of the specification and at blocks 922, 924 in FIG. 3a.

Support for the limitation of "searching the computer database to determine one of the stored risk profiles which is suitable for balancing risks with the additional risk profile" is found at page 15, lines 6-20, page 9, lines 3-17 and page 3, lines 5-9 of the specification.

Support for the limitation of "establishing a contract..." is found at page 19, lines 6-13 and page 19, line 17 to page 20, line 3 of the specification.)

Applicants note that the King reference fails to teach or suggest the claim steps of storing a plurality of risk profiles in a computer database and searching the computer database to determine one of the stored risk profiles which is suitable for balancing risks with an additional risk profile. It is therefore submitted that claim 28 is allowable over the King reference. It is also believed that claim 28 is allowable over the other prior art of record.

Claims 32 and 36 are believed to be allowable on the same basis as claim 28. The other pending claims are dependent claims and so also are believed to be allowable.

Minor informalities in the specification have been corrected, as indicated above.

C O N C L U S I O N

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-3460.

Respectfully submitted,



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